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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,489	12/26/2000	Alan T. Yaung	STL000044US1	5889

7590 09/12/2003

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EXAMINER

NGUYEN, VAN H

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 09/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,489

Applicant(s)

YAUNG, ALAN T.

Examiner

VAN H NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

1. This Office Action is in response to the application filed on December 26, 2000. Claims 1-27 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Capps et al.

(U.S. 6,563,836).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As to claim 1, Capps teaches (col.3, line 13-col.4, line 67) a method for communication between a first computer and a second computer (*enable inter-program communications, particularly between programs residing in different environments*), each of which is connected to a server computer (*a first computer connected to a network... a second computer connected to the network*), the method comprising the steps of:

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under control of a first application (*computer applications/programs*) at the first computer,

creating a message (*messages*), wherein the message comprises zero or more text and zero or more content identifiers (*for each property message, specifying at least one property of a respective message in the main queue and a unique identifier for the respective message/ Each of the zero-byte messages has the unique ID given to the original message in the main queue as one key, and the given property value as another key*); and

putting the message into a message queue (*placing a plurality of messages in a main queue ...the placing steps are performed by a first computer/put a message on the queue*); and under control of a second application (*computer applications/programs*) at the second computer, retrieving (*a message is retrieved from the main queue ... the retrieving step is performed by a second computer*) the message from the message queue.

As to claim 2, Capps teaches text comprises a string of alphanumeric characters (col.4, lines 31-67).

As to claim 3, Capps teaches a content identifier comprises an item identifier and a server name (col.4, lines 16-30).

As to claim 4, Capps teaches the message comprises an event notification with zero text and zero content identifiers (col.5, lines 7-52).

As to claim 5, Capps teaches the message comprises text with zero content identifiers (col.5, lines 7-52).

As to claim 6, Capps teaches the message comprises zero text and one or more content identifiers that represent items in a data store connected to the server computer (col.4, lines 16-30).

As to claim 7, Capps teaches the message comprises an object (col.6 lines 7-37).

As to claim 8, Capps teaches the message is put into the message queue via a method of a class (col.4, lines 31-62).

As to claim 9, Capps teaches the message is retrieved from the message queue via a method of a class (col.4, line 63-col.5, line 36).

Claims 10-18 are directed to an apparatus for performing the method of claims 1-9, and are similarly rejected under the same rationale.

Claims 19-27 are directed to a program storage medium for implementing the method of claims 1-9, and are similarly rejected under the same rationale.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Baber et al.	US 6546428	issued date : 04/2003
- Dadiomov et al.	US 6529932	issued date : 03/2003
- Sikora et al.	US 6449646	issued date : 09/2002
- Dievendorff et al.	US 6425017	issued date : 07/2002
- Britton et al.	US 6401136	issued date : 06/2002
- Shah et al.	US 6226689	issued date : 05/2001
- Chandra et al.	US 6058389	issued date : 05/2000

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- Li et al.

US 5699523

issued date : 12/1997

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

Any response to this action should be mailed to:
Commissioner of Patents and Trademark
Washington, DC 20231

or fax to:

(703) 746-7239 (for formal communications intended for entry)
(703) 746-7238 (for After Final communications)
(703) 746-7240 (for informal or draft communications)

VHN
September 02, 2003



**JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
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